

**Petreski, Sonya**

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**From:** Wallner, Peter  
**Sent:** Monday, 8 April 2013 3:38 PM  
**To:** 'Neil.Ellis@health.gov.au'  
**Cc:** Mackay, Ruth; Hutchison, Steve; Lim, Dixie  
**Subject:** RE: teeth whitening: Recent decision by the poisons and medicines scheduling delegates [DLM=Sensitive]

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Neil

The suggested post script words clarifying the Delegates final decision around teeth whiteners convey the point about the Poisons Standard not being the vehicle to restrict professional practices (although it does limit access to substances through regulated professions services eg medicines through prescription by a doctor and pharmacists). One of the other points we thought should be conveyed related to the Delegates' decision not being taken on the basis of safety data. Our suggestion would be something along the lines of the words below – happy to discuss further on the phone.

Post script note of <insert date>: The expression “too restrictive to dental practitioners in the exercise of their professional practice” is not an assessment of the safety of teeth whitening preparations per se but a comment on the scope of the SUSMP to place controls on the advice (activity?) of professional practitioners. The entity administering a chemical substance and the location of use of a chemical substance, whether by a registered practitioner in-clinic or by an individual consumer at home, is not intended to be controlled through the SUSMP. Limitations on the location of use would be applied through the policies of professional practice boards or relevant regulatory authorities (including, but not limited to, the Australian Competition and Consumer Commission).

Regards

**Peter Wallner**

Director | Chemicals & Regulated Products | Product Safety

**Australian Competition & Consumer Commission**


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**From:** [Neil.Ellis@health.gov.au](mailto:Neil.Ellis@health.gov.au) [<mailto:Neil.Ellis@health.gov.au>]

**Sent:** Thursday, 4 April 2013 5:35 PM

**To:** Wallner, Peter

**Subject:** teeth whitening: Recent decision by the poisons and medicines scheduling delegates [DLM=Sensitive]

Hi Peter ... as discussed at our meeting the other week, we have had a look at the final decision, in particular the reasons for not including 'in-clinic use', as it appears on our website. I have drafted some wording that could appear as a postscript to the reasons. I haven't yet confirmed the wording with the delegates but thought I would initially get a view from you

see red text in the attached document  
appreciate your views

cheers  
Neil

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Neil Ellis | Director | Chemical Policy and Scheduling Secretariat | Office of Chemical Safety  
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